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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,227	01/20/2004	Young-Pyo Lee	1793.1129	6461

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EXAMINER

GOMA, TAWFIK A

ART UNIT	PAPER NUMBER
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2627

MAIL DATE	DELIVERY MODE
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11/08/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/759,227

Applicant(s)

LEE ET AL.

Examiner

Tawfik Goma

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/13/2007 and Interview on 10/05/2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 is/are allowed.
- 6) ☒ Claim(s) 1,3-6 and 9 is/are rejected.
- 7) ☒ Claim(s) 2 and 7-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to the amendment filed on 8/13/2007 and the Interview Conducted on 9/24/2007 (Interview Summary 10/05/2007).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogata et al (JP 2001143305) in view of Yokoyama et al (US 5161040).

Regarding claim 1, Ogata discloses an optical pickup mounted on a pickup base moving relative to an optical recording medium and used to record information on and/or reproduce information from the optical recording medium (fig. 1), the optical pickup comprising: a first optical module (22, fig. 1), as a housing with a light source (22, fig. 1); an objective lens to focus a first light beam emitted from the first optical module on the optical recording medium (30, fig. 1); a first front photo-detector to monitor power of the first light beam emitted from the first optical module toward optical components to irradiate the optical recording medium (36, fig. 1 and pars. 28); a first collimating lens between the first optical module and the objective lens to transform the first light beam into a parallel beam (25, fig. 1 and par. 29); and a holder installed on the pickup base (34, fig. 1), wherein the first optical module and the first front photo-detector are coupled to the holder (fig. 1). Ogata fails to disclose wherein the holder is adjustably installed such that the first front photo-detector is arranged at a

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predetermined distance from the first optical module during an adjusting of the holder to locate the first optical module at the focus of the first collimating lens. In the same field of endeavor, Yokoyama discloses providing a laser whose position is adjustable to locate it at the focus of a collimating lens (57, 126, fig. 11). It would have been obvious to one of ordinary skill in the art to modify the pickup disclosed by Ogata by providing the actuator disclosed by Yokoyama. The rationale is as follows: One of ordinary skill in the art at the time of the applicant's invention would have been motivated to actuate the laser light source in order to adjust the focal distance and shape of a beam in the system.

Regarding claim 4, Ogata further discloses a second optical module to emit a second light beam, wherein the first and second light beams have different wavelengths (21, fig. 1 and pars. 29, 32 and 35).

Regarding claim 5, Ogata further discloses wherein one of the first and second light beams has a first wavelength so as to record information on and/or reproduce information from a digital versatile disc, and the other one of the first and second light beams has a second wavelength so as to record information on and/or reproduce information from a compact disc (pars. 29, 32 and 35).

Regarding claim 6, Ogata further discloses wherein one of the first and second light beams has a wavelength of approximately 650nm (par. 29), and the other of the first and second light beams has a wavelength of approximately 780nm (par. 32).

Regarding claim 9, Ogata discloses an optical pickup mounted on a pickup base moving relative to an optical recording medium used to record information on and/or reproduce information from the optical recording medium (fig. 1), the optical pickup comprising:

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an optical module, as a housing with a light source (21, fig. 1), to emit a light beam toward optical components for irradiating the emitted light to the optical recording medium; a front photo-detector to monitor power of the light beam (35, fig. 1); a collimating lens to transform the light beam emitted from the optical module into a parallel beam (par. 28); and a holder installed on the pickup base (33, fig. 1); wherein the optical module and the front photo-detector are coupled to the holder (fig. 1) such that the front photo-detector is arranged a fixed distance from the optical module (fig. 1).). Ogata fails to disclose wherein the holder is adjustably installed such that the first front photo-detector is arranged at a predetermined distance from the first optical module during an adjusting of the holder to locate the first optical module at the focus of the first collimating lens. In the same field of endeavor, Yokoyama discloses providing a laser whose position is adjustable to locate it at the focus of a collimating lens (57, 126, fig. 11). It would have been obvious to one of ordinary skill in the art to modify the pickup disclosed by Ogata by providing the actuator disclosed by Yokoyama. The rationale is as follows: One of ordinary skill in the art at the time of the applicant's invention would have been motivated to actuate the laser light source in order to adjust the focal distance and shape of a beam in the system.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over al (JP 2001143305) in view of Yokoyama et al (US 5161040) and further in view of Brazas et al (US 5696749).

Regarding claim 3, Ogata fails to disclose wherein the first optical module comprises: the light source to emit the first light beam; and a main photo-detector to receive the first light beam after being reflected from the optical recording medium to detect an information signal

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and/or error signal. In the same field of endeavor, Brazas discloses providing an optical module which includes a detector for detection of an information signal (40, 68, fig. 1). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to provide the detector within the module. The rationale is as follows: One of ordinary skill in the art would have provided the main photo-detector within the module as a simple substitution of one known device for another which would yield predictable results.

Allowable Subject Matter

Claim 10 is allowed.

Claims 2, 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2, 7, 8 and 10 are allowable over the prior art of record, including closest Japanese Patent Takashi (JP 4332185), Kenji (JP 2001-052368) and US Patents Tajiri (US 6072607) and Noda (US 5600621) because the prior art of record, considered individually or in combination, fails to disclose or fairly teach an optical pickup as claimed wherein an optical module is formed as a housing with a laser diode and a front monitor photodetector and the module are attached to a holder such that a predetermined distance is maintained between the module and the monitor when the holder is adjusted for focusing the light on a collimating lens, including the limitation that the front monitor is placed between the light module and the collimating lens (claims 2, 7 and 8) and that the monitor is formed to partially block light irradiated towards the collimating lens (claim 10).

Takahashi discloses providing a monitor between the light source and the collimating lens, such that the monitor partially blocks some of the light irradiated towards the collimating lens, but fails to disclose the light source as a module, the holder for holding the light source and the monitor at a predetermined distance, and adjusting the position of the module to focus on the collimating lens.

Kenji and Noda disclose a type of optical module which includes the front monitor within the housing that holds the light source (Kenji, 42, 41, fig. 4 and Noda 1, 19, fig. 2) and fail to disclose that the module which is formed as a housing for the light source and the monitor are held by a holder which is on the pickup base.

Tajiri discloses providing a photodetector on a holder with a laser light source (5, fig. 2), but fails to disclose among other limitations that the detector is a front monitor detector, that the light source is formed in a module which is formed as a housing, and that the module is adjusted to focus on the collimating lens.

Conclusion

Applicant's amendment (8/13/2007) necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tawfik Goma whose telephone number is (571) 272-4206. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tawfik Goma/
11/1/2007

***/Thang V. Tran/
Primary Examiner
Art Unit 2627***